

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
AT NASHVILLE**

Jenna Amacher,)	Case No: 3:21-cv-638
)	
PETITIONER,)	
)	
v.)	
)	
State of Tennessee; Tre Hargett,)	
Secretary of State; and the Tennessee)	
Election Commission)	
)	
RESPONDENT,)	

Petitioner's Motion for Preliminary Injunction

Comes now the Plaintiff Jenna Amacher by and through Counsel hereby respectfully moves this court for a preliminary injunction enjoining enforcement of T.C.A. 2-13-208. Without a court order enjoining enforcement of the statute the Coffee County Republican Party and the candidates will not qualify in time for the upcoming primaries.

1. The statute does not allow candidates in city elections to identify on the ballot as a Republican or the party to conduct a primary election and vet candidates. The Plaintiff outlines the legal reasoning for granting the preliminary injunction and facts that support this reasoning. This blanket prohibition denies the Plaintiff her constitutional rights as a candidate, a party member, and as an individual.
2. The Plaintiff has set forth through affidavits the irreparable harm that will result if this statute remains enforceable.

3. The Plaintiff pursuant to Federal Rule of Civil Procedure 65 (a) requests this court to block enforcement of T.C.A. 2-13-208 and to allow the plaintiff to assert her constitutional rights under the 1st and 14th amendment.
4. A preliminary injunction is needed for the following reasons: 1) Plaintiff is likely to succeed on the merits of her claim that the Act violates the First and Fourteenth Amendment; 2) Plaintiff's will suffer irreparable harm; 3) an injunction would not injure the defendant in that no money loss is at risk and the statute has never been litigated. 4) The public has an interest in being allowed to vet and hear from the candidates in a party primary.
5. The Plaintiff respectfully urges the court, should this motion be granted, that the security bond requirement under Rule 65 be waived. As previously stated, no monetary relief is being sought nor any money at risk and the statute has no prior litigation. Furthermore, no additional expense will be incurred by the taxpayers due to a county primary already being set.
6. For the foregoing reasons, as set forth in the accompanying memorandum of law and declarations, Plaintiff's respectfully requests that this court grant this motion for a preliminary injunction. Plaintiffs request oral argument and believe it would be helpful to the court when considering the issues raised by the motion. Given the short timeline involved due to the election calendar, Plaintiff's respectfully ask the court set this matter for hearing on this motion as soon as possible following the appropriate local rules for briefing.

Respectfully submitted,

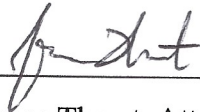

Jenna R. Amacher


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Certificate of Service

I hereby certify that on this day I electronically filed the foregoing motion, brief, and attached affidavits with the Clerk of Court of the Middle District of Tennessee. This motion and brief have also been electronically served on the state Attorney General.

This the 8th day of Sept., 2021.



James Threet, Attorney for Petitioner